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#3

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/954,522	09/11/2001	David Hitz	103.1002.12

CONFIRMATION NO. 8740

22883
SWERNOFSKY LAW GROUP
P O BOX 390013
MOUNTAIN VIEW, CA 94039-0013

FORMALITIES LETTER



Date Mailed: 11/01/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 840.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52 because:
 - Papers contain improper margins. *Each sheet must have a left margin of at least 2.5 cm (1") and top, bottom and right margins of at least 2.0 cm (3/4")*

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

02/11/2002 NBERHE 00000075 09954522

01 FC:101
02 FC:105

740.00 OP
130.00 OP

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

2020-04-04 15:50



22883

103.1002.12

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:

HITZ

Serial No. 09/954,522

Filed: September 11, 2001

For: Write Anywhere File-System Layout

Art Unit: NYA

Case Examiner: NYA

Examiner Telephone:

Missing Parts Notice Mailed: 11/01/2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail, in an envelope addressed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

on 1-2-02
Date

Arlette Malhas
Arlette Malhas

RESPONSE TO NOTICE TO FILE MISSING PARTS

Honorable Assistant Commissioner
for Patents
Washington, D.C. 20231

Dear Sir:

This paper is responsive to the Notice to File Missing Parts dated as shown above. Applicant is submitting a substitute specification in compliance with 37 CFR 1.52 with its original text remaining the same as filed September 11, 2001.

Respectfully submitted,

Dated: January 2, 2002

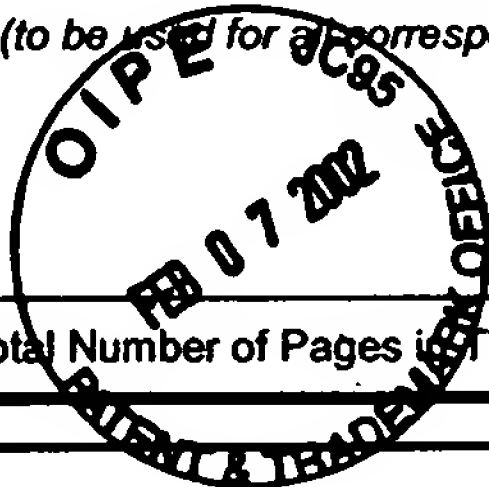
Steven A. Swernofsky
Steven A. Swernofsky
Reg. No. 33,040



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**TRANSMITTAL
FORM**

(to be used for correspondence after initial filing)



Total Number of Pages in This Submission

70

Application Number

09/954,522

Filing Date

Sep 11, 2001

First Named Inventor

Hitz

Group Art Unit

NYA

Examiner Name

NYA

Attorney Docket Number

103.1002.12

ENCLOSURES (check all that apply)

Fee Transmittal Form

Fee Attached Credit Card
Payment Form PTO-2038

Amendment / Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement

Certified Copy of Priority
Document(s)Response to Missing Parts/
Incomplete ApplicationResponse to Missing
Parts under 37 CFR
1.52 or 1.53Assignment Papers
(for an Application)

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert a
Provisional ApplicationPower of Attorney, Revocation
Change of Correspondence Address

Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____

After Allowance Communication to
GroupAppeal Communication to Board of
Appeals and InterferencesAppeal Communication to Group
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s)
(please identify below):Transmittal Form Letter
Substitute Specification
Return Postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENTFirm
or
Individual name

Steven A. Swernofsky

Reg. no. 33,040

Signature

Date

01-02-2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: 1.2.2002

Type or printed name

Arlette Malhas, Paralegal

Signature

Date

1.2.2002

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PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FREE TRANSMITTAL FY 2002 <i>Patent fees are subject to annual revision.</i>		Complete if Known		
		Application Number	09/954,522	
		Filing Date	9/11/2001	
		First Named Inventor	Hitz, et al.	
		Examiner Name	NYA	
		Group/Art Unit	NYA	
TOTAL AMOUNT OF PAYMENT		(\$) 870.00	Attorney Docket No.	103.1002.12

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)			
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number: 50-0365 Deposit Account Name: Swernofsky Law Group <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		3. ADDITIONAL FEES			
2. <input checked="" type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input checked="" type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other		Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
		105	130	205 65 Surcharge - late filing fee or oath	130.00
		127	50	227 25 Surcharge - late provisional filing fee or cover sheet.	
		139	130	139 130 Non-English specification	
		147	2,520	147 2,520 For filing a request for reexamination	
		112	920*	112 920* Requesting publication of SIR prior to Examiner action	
		113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	
		115	110	215 55 Extension for reply within first month	
		116	400	216 200 Extension for reply within second month	
		117	920	217 460 Extension for reply within third month	
		118	1,440	218 720 Extension for reply within fourth month	
		128	1,960	228 980 Extension for reply within fifth month	
		119	320	219 160 Notice of Appeal	
		120	320	220 160 Filing a brief in support of an appeal	
		121	280	221 140 Request for oral hearing	
		138	1,510	138 1,510 Petition to institute a public use proceeding	
		140	110	240 55 Petition to revive - unavoidable	
		141	1,280	241 640 Petition to revive - unintentional	
		142	1,280	242 640 Utility issue fee (or reissue)	
		143	460	243 230 Design issue fee	
		144	620	244 310 Plant issue fee	
		122	130	122 130 Petitions to the Commissioner	
		123	50	123 50 Petitions related to provisional applications	
		126	180	126 180 Submission of information Disclosure Stmt	
		581	40	581 40 Recording each patent assignment per property (times number of properties)	
		146	740	246 370 Filing a submission after final rejection (37 CFR § 1.129(a))	
		149	740	249 370 For each additional invention to be examined (37 CFR § 1.129(b))	
		179	740	279 370 Request for Continued Examination (RCE)	
		169	900	169 900 Request for expedited examination of a design application	
		Other fee (specify) _____			
1. BASIC FILING FEE					
Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid		
101	740	201 370 Utility filing fee	740.00		
106	330	206 165 Design filing fee			
107	510	207 255 Plant filing fee			
108	740	208 370 Reissue filing fee			
114	160	214 80 Provisional filing fee			
SUBTOTAL (1)		(\$) 740.00			
2. EXTRA CLAIM FEES					
Total Claims	Extra Claims	Fee from Below	Fee Paid		
Independent Claims	-20**=	X			
Multiple Dependent	-3**=	X			
Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid		
103	18	203 9 Claims in excess of 20			
102	84	202 42 Independent claims in excess of 3			
104	280	204 140 Multiple dependent claim, if not paid			
109	84	209 42 **Reissue independent claims over original patent			
110	18	210 9 **Reissue claims in excess of 20 and over original patent			
SUBTOTAL (2)		(\$)			
**or number previously paid, if greater; For Reissues, see below					
		*Reduced by Basic Filing Fee Paid			
		SUBTOTAL (3)		(\$) 130.00	

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Steven A. Swernofsky	Registration No. (Attorney/Agent)	33,040
Signature	<i>Steven A. Swernofsky</i>	Telephone	650-947-0700
		Date	01-02-2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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